

REMARKS

Claims 1-22 are currently pending. Claims 1-22 have been rejected. Claims 7 and 22 have been cancelled. Claims 23-39 have been added. Claims 1-6, 8-21, and 23-39 are believed to be in condition for allowance and such favorable action is respectfully requested.

Claims 3-20 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 3 has been amended to provide sufficient antecedent basis. Claim 5 has been amended to provide sufficient antecedent basis. Claim 6 depends from corrected claim 5. Claim 7 has been cancelled. Claim 8 has been amended to provide sufficient antecedent basis. Claims 9-15 depend either directly or indirectly from corrected claim 8. Claim 16 has been amended to provide sufficient antecedent basis. Claims 17-20 depend either directly or indirectly from corrected claim 16. Thus, Applicant submits the rejection of claims 3-20 under § 112 should be withdrawn. Such action is respectfully requested.

The Examiner rejected claims 1-6 and 21 under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent No. 4,210,303 to Torta et al., (hereinafter "Torta"). Applicant respectfully traverses these rejections and hereby requests reconsideration. Examiner stated that claims 7-20 are rejected but would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph, and to include all of the limitations to the base claim and any intervening claims. As such, claim 1 has been amended to include the limitations of claim 7. Specifically, claim 1 has been amended to include the limitation of the first plate having an opening and the second plate having a plurality of positioning holes arranged in a predetermined pattern, the holes positioned to align with the opening. Torta does not disclose this limitation. As the Examiner is well aware, "[a] claim is anticipated only if each and every element as set

forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Accordingly, Torta does not disclose a first plate having an opening and the second plate having a plurality of positioning holes arranged in a predetermined pattern, the holes positioned to align with the opening. As such, Torta does not disclose all the claim 1 limitations. Therefore, Applicant submits the rejection of claim 1 under §102 based on Torta is improper and should be withdrawn. Such action is respectfully requested.

Therefore, for at least the reasons stated above, claim 1 is believed to be in condition for allowance and it is respectfully requested that the rejection of the claim be withdrawn. As claims 2-6 and 8-20 depend from independent claim 1, these claims are also believed to be in condition for allowance, at a minimum, by virtue of their dependence from an allowable base claim. Such favorable action is respectfully requested.

Claim 21 was also rejected under 35 U.S.C. 102(b) as being clearly anticipated by Torta. Claim 21 has been amended to include the limitation of a “U-shaped lever”. Torta does not contain a U-shaped lever. As the Examiner is well aware, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Torta does not disclose all the limitations of claim 21. Therefore, Applicant submits the rejection of claim 21 under §102 based on Torta is improper and should be withdrawn. Such action is respectfully requested.

Therefore, for at least the reasons stated above, claim 21 is believed to be in condition for allowance and it is respectfully requested that the rejection of the claim be withdrawn.

The Examiner also rejected claims 1-3 and 21 under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent No. 6,336,619 to Wahls, (hereinafter "Wahls").

First, as stated above, Examiner stated that claims 7-20 are rejected but would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph, and to include all of the limitations to the base claim and any intervening claims. As such, claim 1 has been amended to include the limitations of claim 7. Specifically, claim 1 has been amended to include the limitation of the first plate having an opening and the second plate having a plurality of positioning holes arranged in a predetermined pattern, the holes positioned to align with the opening. Wahls does not disclose this limitation. As the Examiner is well aware, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Wahls does not disclose all of limitations of claim 1. Therefore, Applicant submits the rejection of claim 1 under §102 based on Wahls is improper and should be withdrawn. Such action is respectfully requested.

Therefore, for at least the reasons stated above, claim 1 is believed to be in condition for allowance and it is respectfully requested that the rejection of the claim be withdrawn. As claims 2-6 and 8-20 depend from independent claim 1, these claims are also believed to be in condition for allowance, at a minimum, by virtue of their dependence from an allowable base claim. Such favorable action is respectfully requested.

Claim 21 was also rejected under 35 U.S.C. 102(b) as being clearly anticipated by Wahls. Claim 21 has been amended to include the limitation of a "U-shaped lever". Wahls does not contain a U-shaped lever. As the Examiner is well aware, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently

described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Wahls does not disclose all the “U-shaped lever” limitation of claim 21. Therefore, Applicant submits the rejection of claim 21 under §102 based on Wahls is improper and should be withdrawn. Such action is respectfully requested.

Therefore, for at least the reasons stated above, claim 21 is believed to be in condition for allowance and it is respectfully requested that the rejection of the claim be withdrawn.

Claims 23-39 have been added and are believed to be in condition for allowance, and such favorable action is respectfully requested.

Therefore, claims 1-6, 8-21, and 23-39 are currently pending, are believed to be in condition for allowance, and such favorable action is respectfully requested. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned by telephone prior to issuing a subsequent action.

Respectfully submitted,



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